

PROB. 12B
(7/93)

ORIGINAL

United States District Court

for the

DISTRICT OF HAWAII

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

AUG 31 2007
at 10 o'clock and 20 min. M.
SUE BEITIA, CLERK

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: TYLER AMBROSE

Case Numbers: CR 03-00191HG-01 and
CR 03-00205HG-01

Name of Sentencing Judicial Officer: The Honorable Helen Gillmor
Chief U.S. District Judge

Date of Original Sentence: 10/27/2003

Original Offense: Count 1 of CR 03-00191HG-01: Felon in Possession of
Ammunition, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2),
a Class C Felony

Count 1 of CR 03-00205HG-01: Unauthorized Control of Propelled
Vehicle, in violation of 18 U.S.C. § 13 and Hawaii Revised Statutes
(H.R.S.) § 708-836, a Class C felony pursuant to H.R.S.

Original Sentence: Eighteen (18) months imprisonment as to CR 03-00191HG-01
and three (3) years and four (4) months imprisonment as to
CR 03-00205HG-01, with both terms to be served concurrently with
each other, and three (3) years supervised release as to each
case, with the following special conditions: 1) That the defendant
participate in a substance abuse program, which may include drug
testing at the discretion and direction of the Probation Office;
2) That the defendant is prohibited from possessing any illegal or
dangerous weapons; 3) That the defendant provide the Probation
Office access to any requested financial information; and 4) That
restitution of \$200 is due immediately to the individual car renter in
CR 03-00205HG-01, and any remaining balance upon release from
confinement be paid during the period of supervision on an
installment basis according to the collection policy of the Probation
Office but at a rate of not less than 10 percent of his monthly gross
income. Interest, if applicable, is waived while the defendant is
serving his term of imprisonment and shall commence to accrue on
any remaining balance upon his release on supervision.

Modified Sentence: On 3/15/2005, the subject's conditions of supervision were modified to include: 5) That the defendant participate in a residential treatment program and remain there until clinically discharged or until otherwise released, at the discretion and direction of the Probation Office.

Type of Supervision: Supervised Release Date Supervision Commenced: 10/1/2005

PETITIONING THE COURT

To modify the conditions of supervision as follows:

General Condition: Tyler Ambrose shall submit to one drug test within the first 15 days of supervision and at least two tests thereafter, not to exceed 4 tests per month.

CAUSE

The subject's term of supervised release commenced in the Central District of California (CD/CA) on 10/1/2005. Upon his release from custody, the subject was accepted into the Impact Drug and Treatment Center (IDTC) in Pasadena, California. The program reportedly offers residential treatment services for men and women with chemical dependency problems.

On 7/30/2007, our office received a letter from the subject's supervising probation officer in that district requesting the above-noted modification. Reportedly, on 1/18/2006, the subject completed residential substance abuse counseling at the IDTC. He subsequently completed an internship training program and obtained employment as a lab technician at the IDTC. In light of U.S. vs. Stephens, the probation officer is requesting the authority to continue random drug testing outside of treatment in order to monitor the subject's compliance.

The details of the subject's federal convictions include illicit drugs being confiscated by law enforcement. His prior criminal record includes a felony conviction for drug possession, and his prior substance abuse history includes his use of methamphetamine from age 13 to 21. Considering the subject's past criminal and substance abuse history, our office supports this request and respectfully recommends the Court modify the drug testing condition (general condition) to authorize and allow random drug testing to continue for the duration of the subject's supervision term.

Attached is a signed Waiver of Hearing to Modify Conditions of Supervised Release. The subject waives his right to a hearing and to assistance of counsel. The subject agrees to the modification of the conditions of supervised release. The subject's attorney and the U.S. Attorney's Office have been notified of the proposed modification and have no objections to the modification.

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This report also serves to inform the Court that the CD/CA will accept a transfer of jurisdiction. This transfer will expedite any future matters that may require Court intervention. Should the Court concur with the request to transfer jurisdiction in this case, Your Honor's signature is requested on both originals of Probation Form 22, Transfer of Jurisdiction.

Respectfully submitted by,



ALYSA K. MAKAHANALOA
U.S. Probation Officer Assistant

Approved by:



TIMOTHY M. JENKINS
Supervising U.S. Probation Officer

Date: 8/14/2007

THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
☐ Other



HELEN GILLMOR
Chief U.S. District Judge

8-28-07

Date

PROB 49
(3/89)

United States District Court

_____ District _____ Hawaii _____

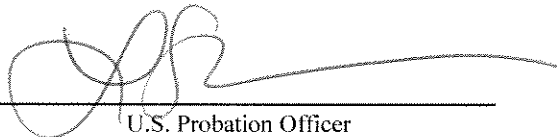
Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

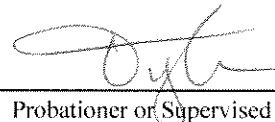
Tyler Ambrose shall submit to one drug test within the first 15 days of supervision and at least 2 tests thereafter, not to exceed 4 tests per month.

Witness



U.S. Probation Officer

Signed



Probationer or Supervised Releasee

7-19-07
Date